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Michael Best & Friedrich LLP

Elizabeth Eiche
Signature

11/29/2005
Date of Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Eric Henderson, et al.)	Group Art Unit: 1634
)	
Serial No.: 09/929,865)	Examiner: Betty J. Forman
)	
Filed: August 14, 2001)	Confirmation No.: 8708
)	
For: "NANOSCALE MOLECULAR ARRAYER")	Date: November 29, 2005
)	
)	Atty. Ref. No.: 016348-9005

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE
UNDER 37 C.F.R. 1.104(e) AND EXAMINER'S INTERVIEW SUMMARY**

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

The following comments are submitted in response to the August 29, 2005 Notice of Allowance and accompanying Notice of Allowability issued in the above-referenced patent application, and is further to the Examiner's Interview with the undersigned Applicant's Representative on August 25, 2005.

In the Notice of Allowability, the Examiner states that claims 1-13 and 21-35 are allowed. The Examiner provides reasons for the allowance of some of the claims.

The Applicants respectfully submit that the Reasons for Allowance do not set forth all of the reasons why independent claims 1, 21, 34 and 35 (and the claims dependent therefrom) are allowable. In particular, a number of other features, elements, and functional relationships claimed in claims 1-13 and 21-35 provide additional and different bases for allowance of the claims.


Also, the Applicants respectfully submit that the Reasons for Allowance do not specify reasons for the allowance of each claim, but rather paraphrase a number of the features, elements, and functional relationships claimed in some of the independent claims, and cite specific sections of the specification providing support for some of the claimed features, elements, and functional relationships. However, many aspects of the features, elements and/or relationships that are described in the specification are not specifically recited in one or more of the allowed claims, and should not be read into the claims. Therefore, the Applicants respectfully submit that the Reasons for Allowance presented for the claims are not accurate.

The Applicants respectfully submit that each of claims 1-13 and 21-35 are separately patentable based upon the combinations of features and elements (and relationships thereof) claimed in claims 1-13 and 21-35 rather than upon any one feature, element, or sub-combination of features and/or elements, as indicated in the Reasons for Allowance.

Furthermore, the Applicants appreciate the courtesy of the telephone interview on August 25, 2005 between the Examiner and the undersigned Applicants' representative. An Interview Summary describing the content of the interview was prepared by the Examiner and included with the August 29, 2005 Notice of Allowance and accompanying Notice of Allowability. As described in the Interview Summary, the Examiner stated that new claims 36-38 introduce the term "actuators" – a term that was not believed by the Examiner to be in the specification. The

Examiner stated that claims 1-13 and 21-35 were in condition for allowance and would be allowed if claims 36-38 were cancelled. In effort to expedite patenting of claims 1-13 and 21-35, the undersigned Applicants' representative agreed in the Interview to cancel claims 36-38. The Applicants reserve the right to pursue the subject matter of these claims in a continuing application.

Respectfully submitted,

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